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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/558,353	9/558,353 04/26/2000 Daniel A. Danknick		66329/97406B	9679	
23380 7	590 04/09/2004	04/09/2004		EXAMINER	
TUCKER, ELLIS & WEST LLP			EVANS, ARTHUR G		
925 EUCLID AVENUE		ART UNIT	PAPER NUMBER		
CLEVELAND, OH 44115-1475			2622		
			DATE MAILED: 04/09/2004	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

CHNICH TIME	•	Application No.	Applicant(s)			
Arthur G. Evans Period for Reply A SHORTENED STATUTORY PERIOD FOR RELLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR RELLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Extensions of time rays be available under the provisions of 37 CPR 1.136(a). In no went, however, may a rayby be timely filled after SX (9, 00 MONTHS from the maining date of the communication. If the period for really specified above is these standary for the standary informance of 1910 (30) days will be considered finely. If the period for really specified above is the standary and the standary informance of 1910 (30) days and the considered finely. If the period for really specified above is the standary informance of 1910 (30) days and the considered finely. If the period for really specified above is the standary informance of 1910 (30) days and the considered finely. If the period for really specified above is the standary information of 1910 (30) days and the considered finely. If the period for really specified above is the standary informance of 1910 (30) days and the constitution. If the period for really specified above is the standary informance of 1910 (30) days and the constitution. If the period for really specified above the standary informance of 1910 (30) days and the constitution. If the period for really specified above the standary informance of 1910 (30) days and the constitution. If the period for really specified above the standary informance of 1910 (30) days and the constitution of 1910 (30) days and the standary informance o		09/558,353	DANKNICK, DANIEL A.			
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THE MAILING DATE OF THIS COMMUNICATION. Extensions or term may be realized with consistent of 3 CPR 1.136(a). In no event, however, may a reply be timely filed after 52.6(b) MCNTRS from the mailing date of this communication. False to reply with the set or extended against activate of the communication. False to reply with the set or extended against activate page within the seatubory information to become ARANDONED (38 U.S.C. § 133). Any reply received by the Office of the there there are maining date of this communication, even if famely filed, may reduce any event place to reply within the set or extended against the maining date of this communication, even if famely filed, may reduce any event place to the property of the place of the communication. False to reply within the set or extended against the mailing date of this communication, even if famely filed, may reduce any event place to the communication. False to reply within the set of the term the mailing date of this communication, even if famely filed, may reduce any event place to the communication. False to reply within the set or extended against the mailing date of this communication. False to reply within the set of the communication of the communication. False to reply within the set of the communication of the communication. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1:-21 is/are pending in the application. 4) Claim(s) 1:-21 is/are pending in the application. 4) Claim(s) 1:-21 is/are pending in the application. 4) Claim(s) 1:-31 is/are pending in the application. 5) Claim(s) 1:-31 is/are pending in the application. 6) Claim(s) 1:-32 is/are pending in the application. 7) Claim(s) 1:-32 is/are pending in the application and the application is objected to by the Examiner. Application Papers 9) The drawing(s) filed on 1:-32 is/are pending						
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period was really to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply by within the statutory minimum of thirty (30) will apply and will expire SIX (6) MONTHS for cause the application to become ABANDO	e timely filed days will be considered timely. rom the mailing date of this communication. NED (35 U.S.C. & 133).			
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-21 is/are pending in the application. 4a) Of the above claim(s) 16-21 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The cath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * o) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the international Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(e) 1) Notice of References Cited (PTO-882) 2) Notice of Detasperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1448 or PTO/SB10a) 5) Notice of Informal Patent Application (PTO-413) Paper NotsyMail Date ARTHUR GEVANS	Status					
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4a) Of the above claim(s) 16-21 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to . 8) ☒ Claim(s) 16-21 are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of Preferences Cited (PTO-892)	Disposition of Claims					
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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Barry et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur G. Evans whose telephone number is 703-305-9653.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 3, 2004

SENIOR PRIMARY EXAMINER